

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

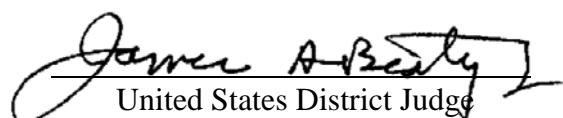
EUGENE WINGO,)
)
Plaintiff,)
)
v.) **1:05CV01039**
)
)
SID HARKLEROAD, et al.,)
)
Defendants.)

J-U-D-G-M-E-N-T

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on November 29, 2005, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED AND ADJUDGED that this action be, and is hereby, dismissed without prejudice to Plaintiff filing a new complaint in the proper district.



James A. Beasley, Jr.
United States District Judge

Date: March 23, 2006